

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:13-CV-113-RLV-DCK**

**FEDERAL DEPOSIT INSURANCE
CORPORATION,**

Plaintiff,

v.

**MINGO TRIBAL PRESERVATION TRUST,
JESSE W. HORTON, JR., TRUSTEE, and
JESSE W. HORTON JR., INDIVIDUALLY,**

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on Defendants' counsel's "Motion To Withdraw As Counsel" (Document No. 4) filed August 28, 2013. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate.

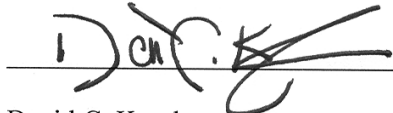
The undersigned notes that the pending motion does not indicate that the requirement of consultation has been met regarding opposing counsel, or whether Defendants consent to the relief requested. As such, Plaintiff's counsel and the Defendants will be required to file a response with the Court that either consents to the pending "Motion To Withdraw..." (Document No. 4), or shows good cause why it should not be granted.

IT IS, THEREFORE, ORDERED that Defendants and Plaintiff's counsel shall file a response to the pending "Motion To Withdraw As Counsel" (Document No. 4) on or before **September 9, 2013**. Failure to respond and **SHOW CAUSE** why this motion should not be granted will likely lead to the requested relief being allowed.

The Clerk of Court is directed to serve a copy of this Order on Defendants at the address provided in Document No. 4 by certified U.S. mail, return receipt requested.

SO ORDERED.

Signed: August 29, 2013



David C. Keesler
United States Magistrate Judge

